

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANTS: WIMROITHER, W ET AL-1 PCT  
SERIAL NO.: 10/538,313

FILED: FEBRUARY 23, 2006

FOR: PROTECTIVE CAP FOR A CONTACT PIPE IN A WELDING TORCH IN  
ADDITION TO A WELDING TORCH EQUIPPED WITH SAID CAP

**REQUEST FOR CORRECTED FILING RECEIPT**

**MAIL STOP APPLICATION OIPE**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Attached is a copy of the Official Filing Receipt received from the Patent and Trademark Office in the above-identified application, which is in need of correction, as follows:

**Under "Applicant(s)" :**

Markus Steinmauer, Sattledt, AUSTRIA

should be corrected to read:

Markus Steinmauer, Sattledt, AUSTRIA

It is respectfully requested that a corrected filing receipt be issued. As this error was on the part of the PTO, no fee should be associated with this request. However, if there should be a fee the Commissioner is hereby authorized to charge Deposit Account No. 03-2468.

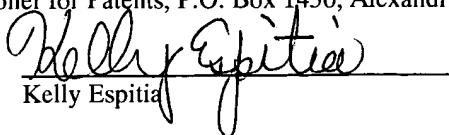
Respectfully submitted,  
WIMROITHER, W ET AL-1 PCT

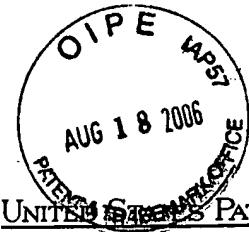
Frederick J. Dorchak, Reg. No. 29,298  
Allison C. Collard, Reg. No. 22,532  
Edward R. Freedman, Reg. No. 26,048  
Attorneys for Applicants

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

Enclosure: copy of Official Filing Receipt and copy of Declaration

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 16, 2006.

  
Kelly Espitia



UNITED STATES PATENT AND TRADEMARK OFFICE

IFW  
Page 1 of 3  
Receipt  
CPI 8120106  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/538,313	02/23/2006	3742	1030	WIMMROITHER, W. ET AL-1	5	14	1

CONFIRMATION NO. 4132

25889  
WILLIAM COLLARD  
COLLARD & ROE, P.C.  
1077 NORTHERN BOULEVARD  
ROSLYN, NY 11576

FILING RECEIPT



\*OC000000019769507\*

Date Mailed: 07/27/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Walter Wimroither, Steinbach/Ziehberg, AUSTRIA;  
Harald Langeder, Pettenbach, AUSTRIA;  
Markus Steinmauer, Sattledt, AUSTRIA;

Steinmauer

Power of Attorney: The patent practitioners associated with Customer Number 25889.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/AT03/00318 10/22/2003

Foreign Applications

AUSTRIA A 1859/2002 12/12/2002

If Required, Foreign Filing License Granted: 07/26/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/538,313**

Projected Publication Date: 11/02/2006

Non-Publication Request: No

Early Publication Request: No

**Title**

Protective cap for a contact pipe in a welding torch in addition to a welding torch equipped with said cap

**Preliminary Class**

219

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



# Declaration and Power of Attorney for Patent Application Erklärung für Patentanmeldungen mit Vollmacht German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an  
Eides statt:

dass mein Wohnsitz, meine Postanschrift, und meine  
Staatsangehörigkeit den im Nachstehenden nach meinem  
Namen aufgeführten Angaben entsprechen.

dass ich, nach bestem Wissen, der ursprüngliche, erste und  
alleinige Erfinder (falls nachstehend nur ein Name angegeben  
ist) oder ein ursprünglicher, erster und Miterfinder (falls  
nachstehend mehrere Namen aufgeführt sind) des  
Gegenstandes bin, für den dieser Antrag gestellt wird und für  
den ein Patent beantragt wird für die Erfindung mit dem Titel:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated  
below next to my name,

I believe I am the original, first and sole inventor (if only one  
name is listed below) or an original, first and joint inventor (if  
plural names are listed below) of the subject matter which is  
claimed and for which a patent is sought on the invention  
entitled

**PROTECTIVE CAP FOR A CONTACT PIPE IN  
A WELDING TORCH IN ADDITION TO A WELDING  
TORCH EQUIPPED WITH SAID CAP**

deren Beschreibung  
(Zutreffendes ankreuzen)

hier beigefügt ist.  
 am \_\_\_\_\_ unter der  
Anmeldungsseriennummer \_\_\_\_\_  
eingereicht wurde und am \_\_\_\_\_  
abgeändert wurde (falls tatsächlich abgeändert).

Ich bestätige hiermit, dass ich den Inhalt der obigen  
Patentanmeldung, einschliesslich der Ansprüche,  
durchgesehen und verstanden habe, die eventuell durch einen  
Zusatzantrag wie oben erwähnt abgeändert wurde.

Ich erkenne meine Pflicht zur Offenbarung irgendwelcher  
Informationen, die für die Prüfung der vorliegenden  
Anmeldung in Einklang mit Absatz 37, Bundesgesetzbuch,  
Paragraph 1.56(a) von Wichtigkeit sind, an.

Ich beanspruche hiermit ausländische Prioritätsvorteile  
gemäß Abschnitt 35 der Zivilprozessordnung der Vereinigten  
Staaten, Paragraph 119, aller unten angegebenen  
Auslandsanmeldungen für ein Patent oder eine  
Erfindersurkunde, und habe auch alle Auslandsanmeldungen  
für ein Patent oder eine Erfindersurkunde nachstehend  
gekennzeichnet, die ein Anmeldedatum haben, das vor dem  
Anmeldedatum der Anmeldung liegt, für die Priorität  
beansprucht wird.

the specification of which  
(check one)

is attached hereto.  
 was filed on October 22, 2003 as

Application Serial No. PCT/AT2003/000318

and was amended on 03. January 2005  
(if applicable)

I hereby state that I have reviewed and understand the  
contents of the above identified specification, including the  
claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is  
material to the examination of this application in accordance  
with Title 37, Code of Federal Regulations, §1.56(a)

I hereby claim foreign priority benefits under Title 35, United  
States Code, §119 of any foreign application(s) for patent or  
inventor's certificate listed below and have also identified  
below any foreign application for patent or inventor's  
certificate having a filing date before that of the application  
on which priority is claimed:

## German Language Declaration

Prior foreign applications  
Vorherige Anmeldungen

<u>A 1859/2002</u>	<u>Austria</u>	<u>12/12/2002</u>
(Number)	(Country)	(Day/Month/Year Filed)
(Nummer)	(Land)	(Tag/Monat/Jahr eingereicht)
(Number)	(Country)	(Day/Month/Year Filed)
(Nummer)	(Land)	(Tag/Monat/Jahr eingereicht)
(Number)	(Country)	(Day/Month/Year Filed)
(Nummer)	(Land)	(Tag/Monat/Jahr eingereicht)

### Priority Claimed

Priorität beansprucht

Yes No  
Ja Nein

Yes No  
Ja Nein

Yes No  
Ja Nein

Ich beanspruche hiermit gemäss Absatz 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 120, den Vorzug aller unten aufgeführten Anmeldungen, und falls der Gegenstand aus jedem Anspruch dieser Anmeldung nicht in einer früheren amerikanischen Patentanmeldung laut dem ersten Paragraphen des Absatzes 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 112 offenbart ist, erkenne ich gemäss Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a), meine Pflicht zur Offenbarung von Informationen an, die zwischen dem Anmeldedatum der früheren Anmeldung und dem nationalen oder PCT internationalen Anmeldedatum dieser Anmeldung bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date)  
(Anmeldeseriennummer) (Anmeldedatum)

(Status) (Status)  
(patentiert, anhängig, (patented, pending  
aufgegeben) abandoned)

(Application Serial No.) (Filing Date)  
(Anmeldeseriennummer) (Anmeldedatum)

(Status) (Status)  
(patentiert, anhängig, (patented, pending  
aufgegeben) abandoned)

Ich erkläre hiermit, dass alle von mir in der vorliegenden Erklärung gemachten Angaben nach meinem besten Wissen und Gewissen der vollen Wahrheit entsprechen, und dass ich diese eidesstattliche Erklärung in Kenntnis dessen abgebe, dass wissentlich und vorsätzlich falsche Angaben gemäss Paragraph 1001, Absatz 18 der Zivilprozessordnung der Vereinigten Staaten von Amerika mit Geldstrafe belegt und/oder Gefängnis bestraft werden können, und dass derartig wissentlich und vorsätzlich falsche Angaben die Gültigkeit der vorliegenden Patentanmeldung oder eines darauf erteilten Patentes gefährden können.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## German Language Declaration

**VERTRETUNGSVOLLMACHT:** Als benannter Erfinder beauftrage ich hiermit den nachstehend benannten Patentanwalt (oder die nachstehend benannten Patentanwälte) und/oder Patent-Agenten mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Geschäfte vor dem Patent- und Warenzeichenamt:

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

ALLISON C. COLLARD, Registration No. 22,532  
 EDWARD R. FREEDMAN, Registration No. 26,048  
 ELIZABETH COLLARD RICHTER, Registration No. 35,103  
 WILLIAM C. COLLARD, Registration No. 38,411  
 FREDERICK J. DORCHAK, Registration No. 29,298  
 EDWARD J. CALLAGHAN, Registration No. 46,594

Telefongespräche bitte richten an:

(516) 365-9802

Postanschrift:

COLLARD & ROE, P.C.  
 1077 Northern Boulevard  
 Roslyn, New York 11576

Customer No. 25889

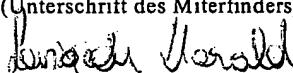
Direct Telephone call to:

(516) 365-9802

Send Correspondence to:

COLLARD & ROE, P.C.  
 1077 Northern Boulevard  
 Roslyn, New York 11576

Customer No. 25889

1. Full name of sole or first inventor (Voller Name des einzigen oder ursprünglichen Erfinders)	2. Full name of additional or joint inventor (if any) (Voller Name des Miterfinders) (falls zutreffend)		
WIMROITHER, Walter	LANGEDEK, Harald		
Inventor's Signature (Unterschrift des Erfinders) 	Date (Datum) 4. 06. 2005	Additional inventor's signature (Unterschrift des Miterfinders) 	Date (Datum) 206. 2005
Residence (Wohnsitz) Steinbach/Ziehberg, Austria	Residence (Wohnsitz) Pettenbach, Austria		
Citizenship (Staatsangehörigkeit) AT	Citizenship (Staatsangehörigkeit) AT		
Post Office Address (Postanschrift) A-4562 Steinbach/Ziehberg Nr. 220 Austria	Post Office Address (Postanschrift) Dürndorf 97/2 A-4643 Pettenbach, Austria		

<p>3. Full name of sole or first inventor            (Voller Name des einzigen oder ursprünglichen Erfinders)</p> <p>STEINMAURER, Markus</p>	<p>4. Full name of additional or joint inventor (if any)            (Voller Name des Miterfinders) (falls zutreffend)</p>
<p>Inventor's Signature            (Unterschrift des Erfinders)</p> 	<p>Date            (Datum)</p> <p>2.06.2005</p>
<p>Residence            (Wohnsitz)</p> <p>Sattledt, Austria</p>	<p>Residence            (Wohnsitz)</p>
<p>Citizenship            (Staatsangehörigkeit)</p> <p>AT</p>	<p>Citizenship            (Staatsangehörigkeit)</p>
<p>Post Office Address            (Postanschrift)</p> <p>Oberautal 3            A-4642 Sattledt, Austria</p>	<p>Post Office Address            (Postanschrift)</p>